

State of Kansas  
Department of Health and Environment

Public Notice Concerning Kansas / Federal  
Water Pollution Control Permits and Applications

State of Kansas  
Department of Health and Environment  
Division of Environment-Bureau of Water  
1000 SW Jackson St., Suite 420  
Topeka, Kansas 66612-1367  
Telephone: (785) 296-6432 - Ag Permits  
(785) 296-5517 - All Others

Public Notice No. KS-AG-19-185/191  
Public Notice No. KS-Q-19-114/116  
Public Notice No. KS-PT-19-005

Beginning Date: May 23, 2019  
Comments Due: June 22, 2019

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

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**Public Notice No. KS-AG-19-185/191**

**Pending Permits for Confined Feeding Facilities**

<u><b>Name and Address of Applicant</b></u>	<u><b>Legal Description</b></u>	<u><b>Receiving Water</b></u>
C.W. Remus Remus Feedlot 1798 110 Road Cawker City, KS 67430	SE/4 of Section of 20 T06S, R10W Mitchell County	Solomon River Basin

Kansas Permit No.: A-SOMC-B017

This is a renewal permit for an existing facility for 500 head (250 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Curtis Lowry Curtis Lowry Feedlot 25292 Road F Almena, KS 67622	W/2 of Section 32 T01S, R21W Norton County	Upper Republican River Basin
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Kansas Permit No.: A-URNT-B009

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Transportation Consulting Inc.  
Sallee, Inc.  
4555 N. Jennie Barker Rd.  
Garden City, KS 67846

NE/4 of Section 33  
T23S, R32W  
Finney County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAFI-T002

This is a renewal permit for an existing facility for washing three or more owned trucks. There has been no change in the number of trucks washed from the last permit. This facility is currently inactive.

Garry Roberts  
Garry Roberts Feedlot  
15343 South Road 100 E  
Quinter, KS 67752

NE/4 of Section 31  
T10S, R26W  
Sheridan County

Saline River Basin

Kansas Permit No.: A-SASD-B008

This is a renewal permit for an existing facility for 980 head (980 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Galen Geyer  
Galen Geyer  
10082 200 Ave  
Wakeeney, KS 67672

SW/4 of Section 3  
T11S, R24W  
Trego County

Saline River Basin

Kansas Permit No.: A-SATR-B001

This is a renewal permit for an existing facility for 900 head (450 animal units) of cattle weighing 700 pounds or less. There has been no change in animal units from the last permit.

Duane Koster  
Duane Koster #1/Sunbelt Farms  
P.O. Box 897  
Garden City, KS 67846

S/2 of Section 25  
and N/2 of Section 36  
T24S, R35W  
Kearny County

Upper Arkansas  
River Basin

Kansas Permit No.: A-UAKE-C007

Federal Permit No.: KS0096113

This is a renewal permit for an existing facility for 1,998 head (999 animal units) of cattle weighing less than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Lee Springer  
Lee Springer-Truck Sanitation Facility  
3321 CR 5800  
Independence, KS 67301

SE/4 of Section 22  
T31S, R15E  
Montgomery County

Verdigris  
River Basin

Kansas Permit No.: A-VEMG-T001

This is a renewal permit for an existing truck sanitation building used to heat and disinfect 3 or more owned trucks and trailers. There has been no change to the number of trucks washed from the last permit.

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**Public Notice No.: KS-Q-19-114/116**

**The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.**

<b><u>NAME AND ADDRESS OF APPLICANT</u></b>	<b><u>RECEIVING STREAM</u></b>	<b><u>TYPE OF DISCHARGE</u></b>
Board of Public Utilities (BPU) PO Box 768 McPherson, KS 67460	Little Arkansas River via Dry Turkey Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-LA11-CO03	Federal Permit No. KS0093602
Legal Description: NW¼, S24, T19S, R3W, McPherson County, Kansas	
Facility Name: BPU – McPherson Power Plant #3	
Facility Address: 1486 17 <sup>th</sup> Avenue, McPherson, KS 67460	

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is an 80-Megawatt, simple cycle, natural-gas/diesel-fuel combustion turbine electric generating station to provide peak electrical power. Evaporative cooling with municipal water supply is utilized to cool air-intakes for the combustion turbine. The proposed permit contains monitoring for flow, oil and grease, and total recoverable selenium.

FI Kansas Remediation Trust 8725 Rosehill Road, Ste 450 Lenexa, KS 66215	Arkansas River via City of South Hutchinson WWTP Discharge Line	Process Wastewater
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Kansas Permit No. I-AR82-PO15	Federal Permit No. KS0098591
Leal Description: NE¼, S25, T23S, R6W, Reno County, Kansas	
Facility Name: FI Kansas Remediation Trust Wastewater Treatment Facility	
Facility Address: 420 East Avenue C, South Hutchinson, KS	

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is at the former Farmland Industries-owned grain elevator site. Grain silo fumigants have contaminated the groundwater. Two system of Air Sparge and soil vapor extraction methods are removing the volatile contaminants within the soil matrix downgradient of the elevator. Contaminated groundwater is pumped from 5 recovery wells and are comingled and treated via an air-stripper located in a renovated blower building at the old South Hutchinson wastewater treatment site. The proposed permit contains limits for carbon tetrachloride and pH, as well as monitoring for flow, chlorides, total phosphorus, and nitrate & nitrite.

Frankfort, City of  
109 N Kansas  
Frankfort, KS 66427

Big Blue River via  
Timber Creek via  
Unnamed Tributary

Process  
Wastewater

Kansas Permit No. I-BB07-PO03

Federal Permit No. KS0099775

Legal Description: SE¼, S9, T4S, R9E, Marshall County, Kansas

Facility Name: PWS #4 Source Treatment System

Facility Location: East side of Hwy 99, ½ mile north of 10<sup>th</sup> Street, Frankfort, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. Carbon tetrachloride (CCl<sub>4</sub>) contaminated groundwater is pumped from underneath the source area and treated in a 3-stage gravity flow cascade aeration system to remove CCl<sub>4</sub> prior to discharge to an on-site irrigation pond for agricultural crop production. The proposed permit contains limits for carbon tetrachloride, as well as monitoring for flow.

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**Public Notice No. KS-PT-19-005**

The requirements of the draft permits public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

**NAME AND ADDRESS OF APPLICANT**

**RECEIVING FACILITY**

**TYPE OF DISCHARGE**

Fashion, Inc  
1019 North Street  
Ottawa, KS 66067

Ottawa WWTP

Process Wastewater

Kansas Permit No. P-MC31-OO02

Federal Permit No. KSP000083

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility manufactures metal canopies for fuel stations made of fabricated steel. Steel parts are phosphate, using a five (5) stage conversion coating (phosphating) operation, which prepares the steel parts for paint. Wastewater from this operation, which is Outfall 001, discharges process wastes on a batch basis and discharges contaminated rinse water continuously, when the process is operating. The proposed permit contains pretreatment limitations for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc and cyanide.

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### NOTICE OF INTENT TO TERMINATE

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

State Permit	Project Name	City	County
S-LA23-0009	Ph 1 Water & Sewer for Tierra Verde South Addition	Bel Aire	Sedgwick
S-NE11-0024	Brant Quarry	Chanute	Neosho
S-MC08-0045	Widmer Property	Edgerton	Johnson
S-MC11-0042	National Ave. (13th - 6th)	Fort Scott	Bourbon
S-AR49-0149	Mervis Railcar Repair Facility - Hutchinson, Kansas	Hutchinson	Reno
S-LR15-0029	Deer Trail Addition Unit No. 1	Junction City	Geary
S-MO25-0086	Inergy Automotive Systems at Central Industrial Park	Kansas City	Wyandotte
S-KS33-0005	MCM Jefferson City Sand Plant	Lecompton	Jefferson
S-AR60-0004	Sandy Creek Ranch (East Pond)	Medicine Lodge	Barber
S-LA13-0077	Asbury Main Campus Improvements	Newton	Harvey
S-KS52-0174	The Townhomes at Foxfield Village - 2nd Plat	Olathe	Johnson
S-KS52-0218	The Villas at Foxfield Village	Olathe	Johnson
S-KS55-0149	Haven at the Wilderness - 3rd Plat	Overland Park	Johnson
S-MC45-0043	New Building for Billy Waters	Spring Hill	Johnson
S-MO32-0036	199th Street 20" Transmission Main	Stilwell	Johnson
S-KS71-0047	Cornerstone Family Worship	Tonganoxie	Leavenworth
S-KS72-0378	Washburn Rural High School Baseball Field	Topeka	Shawnee
S-AR94-1336	The Wichita Center for the Arts	Wichita	Sedgwick

Proposed Action: The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

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Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision-making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **June 22, 2019**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-185/191, KS-Q-19-114/116, KS-PT-19-005) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.

**Lee A. Norman, M.D.**  
**Secretary**  
**Kansas Department of Health and Environment**